



ISSUE NO. 1 – JANUARY 10, 2025

TABLE OF CONTENTS

PROPOSAL NOTICES

- Administration, Department of, Title 2
 - 2025-1.1 (Public Employees' Retirement Board) – Notice of Proposed Rulemaking – Membership.

ADOPTION NOTICES

- Justice, Department of, Title 23
 - 23-13-284 (POST Council) – Notice of Adoption – Certification of Public Safety Officers.
- Environmental Quality, Department of, Title 17
 - 17-448 – Notice of Adoption – Cleaning Up Repealed References in ARM Title 17, Chapter 50.
 - 17-449 – Notice of Adoption – Regulatory Reform and Clean Up of Repealed References in ARM Title 17, Chapter 4.
- Labor and Industry, Department of, Title 24
 - 24-17-422 – Notice of Adoption – Prevailing Wages.

- Education, Title 10
 - 10-111-2401 (Montana Arts Council) – Notice of Adoption – Grant Eligibility and Conditions.
- Public Health and Human Services, Department of, Title 37
 - 37-1065 – Notice of Adoption – Community First Choice Services.
 - 37-1087 – Notice of Adoption – Vocational Rehabilitation Visual Medical Program.
 - 37-1089 – Notice of Adoption – HCBS Quality Assurance Reviews.
 - 37-1099 – Notice of Adoption – Adult Day Care Facilities.
 - 37-1103 – Notice of Adoption – Certification of Persons Assisting in the Administration of Medication.
- Secretary of State, Office of, Title 44
 - 44-2-278 – Notice of Adoption – Records and Information Management.
- State Auditor, Office of, Title 6
 - 6-291 (Commissioner of Securities and Insurance) – Notice of Adoption – Petition to Rulemaking – Model Procedural Rules.

OTHER

- None



PUBLIC EMPLOYEES' RETIREMENT BOARD

NOTICE OF PROPOSED RULEMAKING

MAR NOTICE NO. 2025-1.1

Summary

Amendment of ARM 2.43.2101 pertaining to membership

No Hearing Scheduled

If the agency receives requests for a public hearing on the proposed rulemaking from either 10 percent or 25, whichever is less, of the persons directly affected by the proposed rulemaking; from the appropriate administrative rule review committee of the Legislature; from a governmental subdivision or agency; or from an association having not less than 25 members who will be directly affected, a hearing will be held at a later date. Notice of the hearing will be published in the Montana Administrative Register.

The estimated number of persons directly affected by the proposed rulemaking is 9,541 persons based on approximately 95,405 participants in the Defined Benefit Retirement Plans.

Comments

Concerned persons may submit their data, views, or arguments concerning the proposed rulemaking action in writing to: MPERA, P.O. Box 200131, Helena, Montana, 59620-0131; telephone (406) 444-3154; fax (406) 444-5428; or e-mail mpera@mt.gov. Comments must be received by Monday, February 10, 2025, at 5:00 p.m.

Accommodations

The agency will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. Requests must be made by Monday, February 10, 2025, at 5:00 p.m.

Contact

Kris Vladic
406-444-2578
kvladic@mt.gov
TDD (406) 444-1421
Fax: (406) 444-5428

General Reasonable Necessity Statement

This rule addition is necessary to codify MPERA's existing administrative practices and to provide better notice to members in these systems who are considering service credit transfers. The 2013 Montana Legislature created new Guaranteed Annual Benefit Adjustment (GABA) tiers for members hired into PERS and HPORS after July 1, 2013. See: HB 454: Provide funding for PERS defined benefit plan, revise GABA (2013); and HB 336: Generally revise highway patrol retirement system laws (2013). Some statutes governing GABA in MPERA-administered retirement plans other than the 2013 tiers in PERS and HPORS include provisions for a member to carry a hire date from another system based upon their membership in that system. The post-July 1, 2013, PERS and HPORS tiers do not include such language.

Rulemaking Action

AMEND

The rule proposed to be amended is as follows, stricken matter interlined, new matter underlined:

2.43.2101 MEMBERSHIP

(1) through (3) remain the same.

(4) A voluntary election to transfer service credit from another system by a member hired into PERS or HPORS on or after July 1, 2013, will not affect that member's hire date in PERS or HPORS for GABA eligibility purposes.

(4) and (5) remain the same but are renumbered (5) and (6).

Authorizing statute(s): 19-2-403, MCA

Implementing statute(s): 19-2-303, 19-3-1605, 19-7-711, 19-8-1105, MCA

Small Business Impact

Pursuant to 2-4-111, MCA, the agency has determined that the rule change proposed in this notice will not have a significant and direct impact upon small businesses.

Bill Sponsor Notification

The bill sponsor contact requirements of 2-4-302, MCA, do not apply.

Interested Persons

The Public Employees' Retirement Board maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this agency. Persons who wish to have their name added to the list shall make a written request that includes the name, e-mail, and mailing address of the person to receive notices and specifies for which program the person wishes to receive notices. Notices will be sent by e-mail unless a mailing preference is noted in the request. Written requests may be mailed or delivered to the contact person above or may be made by completing a request form at any rules hearing held by the board.

Rule Reviewer

Nicholas Domitrovich, Chief Legal Counsel

Approval

Maggie Peterson
President
Public Employees' Retirement Board



PUBLIC SAFETY OFFICER STANDARDS AND TRAINING COUNCIL

NOTICE OF ADOPTION

MAR NOTICE NO. 23-13-284

Summary

Certification of public safety officers

Previous Notice(s) and Hearing Information

On September 6, 2024, the Public Safety Officer Standards and Training Council published MAR Notice No. 23-13-284 pertaining to the public hearing on the proposed amendment of the rules at page 2118 of the 2024 Montana Administrative Register, Issue Number 17.

Final Rulemaking Action – Effective January 11, 2025

AMEND AS PROPOSED

The agency has amended the following rules as proposed:

23.13.212 INSTRUCTOR CERTIFICATION REQUIREMENTS

23.13.301 QUALIFICATIONS FOR APPROVAL OF PUBLIC SAFETY OFFICER TRAINING COURSES

23.13.305 PROCESS FOR OBTAINING POST APPROVAL FOR PUBLIC SAFETY OFFICER TRAINING COURSES

23.13.306 PROCESS FOR OBTAINING POST TRAINING CREDIT HOURS FOR INDIVIDUAL PUBLIC SAFETY OFFICERS

23.13.801 MINIMUM STANDARDS FOR THE APPOINTMENT AND CONTINUED EMPLOYMENT OF PUBLIC SAFETY OFFICERS

Statement of Reasons

No comments were received.

Contact

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kbolger@mt.gov
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Rule Reviewer

David Ortley

Approval

Jesse Slaughter
Chair
POST Council



DEPARTMENT OF ENVIRONMENTAL QUALITY

NOTICE OF ADOPTION

MAR NOTICE NO. 17-448

Summary

Amendment of ARM 17.50.411, 17.50.540, 17.50.801, 17.50.806, and 17.50.810 pertaining to cleaning up repealed references in ARM Title 17, chapter 50

Previous Notice(s) and Hearing Information

On October 4, 2024, the Department of Environmental Quality published MAR Notice No. 17-448 pertaining to the proposed amendment of the above-stated rules at page 2386 of the 2024 Montana Administrative Register, Issue Number 19.

Final Rulemaking Action – Effective January 11, 2025

AMEND AS PROPOSED

The agency has amended the following rules as proposed:

17.50.411 DISPOSAL FEE

17.50.540 FINANCIAL ASSURANCE REQUIREMENTS FOR CLASS II LANDFILLS

17.50.801 PURPOSE

17.50.806 PROCESSING OF LICENSE APPLICATIONS

17.50.810 SPECIAL CONDITIONS

Statement of Reasons

No comments were received.

Contact

Legal Unit
(406) 444-1388
DEQMAR17-448@mt.gov

Rule Reviewer

Sarah Christopherson

Approval

Sonja Nowakowski, Director



DEPARTMENT OF ENVIRONMENTAL QUALITY

NOTICE OF ADOPTION

MAR NOTICE NO. 17-449

Summary

Amendment of ARM 17.4.101 and repeal of ARM 17.4.202 pertaining to regulatory reform and cleaning up of repealed references in ARM Title 17, Chapter 4

Previous Notice(s) and Hearing Information

On October 4, 2024, the Department of Environmental Quality published MAR Notice No. 17-449 pertaining to the proposed amendment and repeal of the above-stated rules at page 2392 of the 2024 Montana Administrative Register, Issue Number 19.

Final Rulemaking Action – Effective January 11, 2025

AMEND AS PROPOSED

The agency has amended the following rule as proposed:

17.4.101 MODEL RULES

REPEAL

The agency has repealed the following rule as proposed:

17.4.202 OCCUPATIONAL HEALTH RULES

Statement of Reasons

No comments were received.

Contact

Legal Unit
(406) 444-1388
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Rule Reviewer

Nicholas Whitaker

Approval

Sonja Nowakowski, Director



DEPARTMENT OF LABOR AND INDUSTRY

NOTICE OF ADOPTION

MAR NOTICE NO. 24-17-422

Summary

Amendment of rules pertaining to prevailing wages

Previous Notice(s) and Hearing Information

On November 22, 2024, the Department of Labor and Industry (agency) published MAR Notice No. 24-17-422 regarding the public hearing on the proposed changes to rules pertaining to prevailing wages, at page 2455 of the 2024 Montana Administrative Register, Issue No. 22.

On December 16, 2024, a public hearing was held on the proposed changes to the rules via the videoconference and telephonic platform. Comments were received by the deadline.

Final Rulemaking Action – Effective January 11, 2025

AMEND WITH CHANGES

The agency has amended the following rule with the following changes from the original proposal, stricken matter interlined, new matter underlined:

24.17.127 ADOPTION OF STANDARD PREVAILING RATE OF WAGES

- (1) and (2) remain as proposed.
- (3) The standard prevailing rates of wages publications are adopted and incorporated by reference. Copies of the rates are available upon request from the Operations Bureau, Employment Standards Division, Department of Labor and Industry, 301 S. Park Avenue, P.O. Box 8011, Helena, MT 59604, (406) 444-6543, or online at <https://erd.dli.mt.gov/labor-standards/state-prevailing-wage-rates/>.

Authorizing statute(s): 2-4-307, 18-2-409, 18-2-431, MCA

Implementing statute(s): 18-2-401, 18-2-402, 18-2-403, 18-2-406, 18-2-411, 18-2-412, 18-2-413, 18-2-414, 18-2-415, 18-2-422, 18-2-431, MCA

The following rates in the Montana Prevailing Wages Rates for Building Construction Services 2025, Prevailing Wage Rates for Heavy Construction Services 2025, and Prevailing Wage Rates for Highway Construction Services 2025 publications, incorporated by reference in the rule, have been amended as follows, stricken matter interlined, new matter underlined:

Prevailing Wage Rates for Building Construction Services 2025

SHEET METAL WORKERS

Wages, benefits, districts, and duties remain the same.

All Districts

~~0-45 mi. free zone~~

~~>45 mi.~~

- ~~\$0.25/mi. in employer vehicle.~~
- ~~\$0.65/mi. in employee vehicle.~~

~~Per Diem:~~

~~All Districts~~

~~\$155/day~~

~~0-45 mi. free zone~~

~~46-65 mi. \$35/day~~

~~>65 mi. \$155/day for overnight stay~~

~~>65 mi. if employee is driving/riding in a company vehicle and returns home the same day, drive time shall be paid both ways, and no subsistence paid. Drive time will be at straight time and there shall be no benefits paid for drive time. Drive time will be outside the regular shift.~~

Prevailing Wage Rates for Heavy Construction Services 2025

PILE BUCKS

Wage	Benefit
<u>\$33.03</u>	<u>\$17.79</u>
<u>\$36.49</u>	<u>\$14.33</u>

Zone pay and Duties remain the same.

Prevailing Wage Rates for Highway Construction Services 2025

PILE BUCKS

Wage	Benefit
<u>\$33.03</u>	<u>\$17.79</u>
<u>\$36.49</u>	<u>\$14.33</u>

Zone pay and Duties remain the same.

Statement of Reasons

The agency has considered the comments and testimony received. A summary of the comments received, and the agency's responses are as follows:

Comment 1: A commenter noted various nonsubstantive typos in the rate setting documents, to include years in headers, departmental addresses, and suggestions for writing out rather than abbreviating terms.

Response 1: The department agrees. These corrections are made in the adopted rate schedules. Because the changes are not substantive, they are not fully set forth herein.

Comment 2: A commenter suggested that the proposed adopted rate for district 2 plumbers did not conform to the current collective bargaining agreement in the region, and that the rate should be decreased to conform.

Response 2: The department disagrees. The department has re-reviewed the wage data received during the survey process. Section 18-2-413(5)(b)(ii), MCA requires that, where the majority of skilled workers receive the same wage, then the higher of the collective bargaining agreement rate or the surveyed rate must be adopted. The majority of workers received the same wage. The rate proposed is correct.

Comment 3: A commenter suggested that the sheet metal worker travel pay was not correct, as compared against the applicable collective bargaining agreement for building construction rates.

Response 3: The department agrees. Based upon available data from the survey, the proposal set forth an error. The rate schedules are amended as set forth above.

Comment 4: A commenter suggested that the diver rate proposed in heavy and highway construction rates was incorrect. The commenter attached collectively bargained rates for the position for consideration.

Response 4: The department is not adjusting the proposed rate based on new information received. ARM 24.17.120(5)(c), 24.17.121(5)(c) (“Wage information received during public comment for the update of prevailing wage rates or fringe benefits will not be considered.”). All wage information must be timely received during the survey process. ARM 24.17.120(5)(a), 24.17.121(5)(a). Because this data was not received during the survey process, it is not considered.

Comment 5: A commenter suggested that pile buck rate in the highway rate schedule was incorrect based on data held by the department.

Response 5: The commenter is correct. The pile buck rate classification is amended as set forth above.

Contact

Department of Labor and Industry
(406) 444-5466
laborlegal@mt.gov

Rule Reviewer

Quinlan L. O'Connor

Approval

Sarah Swanson, Commissioner



MONTANA ARTS COUNCIL

NOTICE OF ADOPTION

MAR NOTICE NO. 10-111-2401

Summary

Amendment of ARM 10.111.201 and repeal of ARM 10.111.601 and 10.111.611 pertaining to model rules and grant eligibility and conditions

Previous Notice(s) and Hearing Information

On August 9, 2024, the Montana Arts Council published MAR Notice No. 10-111-2401 pertaining to the proposed amendment and repeal of the above-stated rules at page 1963 of the 2024 Montana Administrative Register, Issue Number 15.

Final Rulemaking Action – Effective January 11, 2025

AMEND AS PROPOSED

The agency has amended the following rule as proposed:

10.111.201 ADOPTION OF MODEL RULES

REPEAL

The agency has repealed the following rules as proposed:

10.111.601 ELIGIBILITY FOR GRANTS

10.111.611 GRANT CONDITIONS

Statement of Reasons

No comments were received.

Contact

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Montana Relay: 711

Rule Reviewer

Michelle Dietrich

Approval

Kristin Han Burgoyne, Deputy Director



DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES

NOTICE OF ADOPTION

MAR NOTICE NO. 37-1065

Summary

Amendment of ARM 37.40.1002, 37.40.1005, and 37.40.1018 pertaining to community first choice services

Previous Notice(s) and Hearing Information

On July 26, 2024, the Department of Public Health and Human Services published MAR Notice No. 37-1065 pertaining to the public hearing on the proposed amendment of the above-stated rules at page 1784 of the 2024 Montana Administrative Register, Issue Number 14.

On September 6, 2024, the department published an amended notice on the proposed amendment of the above-stated rules at page 2129 of the 2024 Montana Administrative Register, Issue Number 17.

Final Rulemaking Action – Effective January 11, 2025

AMEND AS PROPOSED

The department has amended the following rules as proposed:

37.40.1005 AGENCY-BASED AND SELF-DIRECTED COMMUNITY FIRST CHOICE SERVICES: PERSON-CENTERED PLAN REQUIREMENTS

37.40.1018 SELF-DIRECTED COMMUNITY FIRST CHOICE SERVICES: PROVIDER REQUIREMENTS

AMEND WITH CHANGES

The department has amended the following rule with the following changes from the original proposal, stricken matter interlined, new matter underlined:

37.40.1002 AGENCY-BASED AND SELF-DIRECTED COMMUNITY FIRST CHOICE SERVICES: ELIGIBILITY, SERVICES PROVIDED, AND LIMITATIONS

(1) through (11) remain as proposed.

(12) Payment to legally responsible persons for CFCS is available when an individual requires extraordinary care as demonstrated by a state-approved functional assessment. An individual is considered to require extraordinary care, as demonstrated by a state-approved functional assessment, when needs exceed the ordinary care that would be provided to a person without a disability of the same age. As used in this rule, the term "extraordinary care" means care exceeding the range of activities that a legally responsible individual would ordinarily perform in the household on behalf of a person without a disability or chronic illness of the same age, and which are necessary to ensure the health and welfare of the participant and avoid institutionalization. A legally responsible person may also be paid for services that are not considered extraordinary when an individual is unable to access non-legally responsible personal care providers because of geographic, cultural, or other factors limiting availability of care providers. A legally responsible person is defined as a:

(a) and (b) remain as proposed.

(13) and (14) remain as proposed.

Authorizing statute(s): 53-2-201, MCA

Implementing statute(s): 53-2-201, 53-6-113, MCA

Statement of Reasons

The department has considered the comments and testimony received. A summary of the comments received and the department's responses are as follows:

Comment #1: A commenter inquired into the timeline for enrollment and discharge for Community First Choice Services when the recipient's services are temporary.

Response #1: While the department appreciates the comment, it is outside the scope of this rulemaking.

Comment #2: A commenter asked the department to define the meaning of “extraordinary care” regarding service delivery to members referenced in ARM 37.40.1002(12).

Response #2: The department agrees the term should be defined and has revised ARM 37.40.1002(12) to define “extraordinary care” as care exceeding the range of activities that a legally responsible individual would ordinarily perform in the household on behalf of a person without a disability or chronic illness of the same age, and which is necessary to ensure the health and welfare of the participant and avoid institutionalization.

Contact

Bailey Yuhas
(406) 444-4094
hhsadminrules@mt.gov
Fax: (406) 444-9744

Rule Reviewer

Robert Lishman

Approval

Charles T. Brereton, Director
Department of Public Health and Human Services



DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES

NOTICE OF ADOPTION

MAR NOTICE NO. 37-1087

Summary

Repeal of ARM 37.30.2601, 37.30.2605, and 37.30.2608 pertaining to the Vocational Rehabilitation Visual Medical Program

Previous Notice(s) and Hearing Information

On August 23, 2024, the Department of Public Health and Human Services published MAR Notice No. 37-1087 pertaining to the proposed repeal of the above-stated rules at page 2037 of the 2024 Montana Administrative Register, Issue Number 16.

Final Rulemaking Action – Effective January 11, 2025

REPEAL

The department has repealed the following rules as proposed:

37.30.2601 VISUAL MEDICAL PROGRAM: PURPOSES

37.30.2605 VISUAL MEDICAL PROGRAM: SERVICES

37.30.2608 VISUAL MEDICAL PROGRAM: ELIGIBILITY REQUIREMENTS

Statement of Reasons

The department has considered the comments and testimony received. A summary of the comments received and the department's responses are as follows:

COMMENT #1: One commenter expressed that Montana's Blind and Low Vision Services program (BLVS) is important for people in Montana.

RESPONSE #1: The Department of Public Health and Human Services agrees that BLVS is an important program. BLVS will continue to provide services in Montana. The proposed repeal only repeals rules regarding the Visual Medical Program, which no longer exists and is no longer funded. The services which were provided by the Visual Medical Program are now provided by Medicaid.

Contact

Bailey Yuhas
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hhsadminrules@mt.gov
Fax: (406) 444-9744

Rule Reviewer

Olivia Schuler

Approval

Charles T. Brereton, Director
Department of Public Health and Human Services



DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES

NOTICE OF ADOPTION

MAR NOTICE NO. 37-1089

Summary

Adoption of NEW RULE I pertaining to HCBS quality assurance reviews

Previous Notice(s) and Hearing Information

On August 23, 2024, the Department of Public Health and Human Services published MAR Notice No. 37-1089 pertaining to the public hearing on the proposed adoption of the above-stated rule at page 2040 of the 2024 Montana Administrative Register, Issue Number 16.

Final Rulemaking Action – Effective January 11, 2025

ADOPT WITH CHANGES

The department has adopted the following rule with changes from the original proposal, stricken matter interlined, new matter underlined:

NEW RULE I (37.40.1409) HOME AND COMMUNITY BASED SERVICES FOR ELDERLY AND DISABLED PERSONS: QUALITY ASSURANCE REVIEWS

(1) through (8) remain as proposed.

Authorizing statute(s): 53-2-201, 53-6-113, ~~53-6-401~~ 53-6-402, MCA

Implementing statute(s): 53-2-201, 53-6-101, ~~53-6-401~~ 53-6-402, MCA

Statement of Reasons

The department has considered the comments and testimony received. A summary of the comments received and the department's responses are as follows:

COMMENT #1: A commenter emphasized that quality assurance reviews (QARs) are essential for the functioning of home and community-based waiver services. The commenter expressed appreciation for the processes described in the proposed rule. The commenter suggested that case managers and service providers outline emergency procedures to assist members before facing crises. Additionally, the commenter stressed the importance of ensuring services promote community living in the least restrictive settings and suggested that QAR assessments highlight how members access and utilize community services.

RESPONSE #1: The department appreciates the comment regarding the necessity of quality assurance reviews for home and community-based services and thanks the commenter for their support of the proposed rule. The department agrees emergency procedures can help ensure timely assistance for members facing crises and that this is an important aspect of quality assurance. The department is committed to promoting community living in the least restrictive settings, in alignment with the federal 2014 HCBS settings rule and will ensure that QAR assessments include evaluations of how members access and utilize community services, as well as clarify the roles of service providers in person-centered planning and emergencies.

Contact

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hhsadminrules@mt.gov
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Rule Reviewer

Robert Lishman

Approval

Charles T. Brereton, Director
Department of Public Health and Human Services



DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES

NOTICE OF ADOPTION

MAR NOTICE NO. 37-1099

Summary

Amendment of ARM 37.106.2602, 37.106.2603, 37.106.2606, 37.106.2609, 37.106.2616, 37.106.2620, and 37.106.2621 and repeal of ARM 37.106.2608 pertaining to adult day care facilities

Previous Notice(s) and Hearing Information

On August 23, 2024, the Department of Public Health and Human Services published MAR Notice No. 37-1099 pertaining to the public hearing on the proposed amendment and repeal of the above-stated rules at page 2044 of the 2024 Montana Administrative Register, Issue Number 16.

Final Rulemaking Action – Effective January 11, 2025

AMEND AS PROPOSED

The department has amended the following rules as proposed:

37.106.2602 GENERAL SERVICES, ADMINISTRATION AND STAFFING

37.106.2603 POLICIES AND PROCEDURES

37.106.2606 CONSTRUCTION

37.106.2609 INFECTION CONTROL

37.106.2616 FOOD SERVICE

37.106.2620 CLIENT AND PERSONNEL RECORDS

37.106.2621 MEDICATIONS

REPEAL

The department has repealed the following rule as proposed:

37.106.2608 DISASTER AND FIRE PLAN

Statement of Reasons

The department has considered the comments and testimony received. A summary of the comments received, and the department's responses are as follows:

Comment #1: One commenter expressed the opinion that DPHHS and operators of adult day services need to enhance accessibility and programmatic options if they are able in the community. The commenter indicates that the State of Montana needs more assistive technology outreach so that the current technologies and adaptive equipment are available to adult day centers, continuing to say the best assistive technology could be utilizing the metal loan or different options to pay for equipment and supplies. The state needs navigators or ombudsman to liaison between families and adult day programs. Adult day services members should have the opportunity to participate in community activities as well. The commenter says that the State of Montana must address the wider systemic issues of how people and families access and fund adult day services or other needed services as these may not be available to families because of Medicaid spend downs and out-of-pocket expenses may be unaffordable to those on Medicare who are dually eligible.

Response #1: The department thanks the commenter for their participation in the comment process, but notes that the comments received do not address the proposed amendments to the rule set. The commenter's request for the State of Montana to boost technology assistance has no relation to Adult Day Care (ADC) facility licensure regulations. The roles and abilities of the ombudsman are not a part of licensing for ADC facilities. Lastly, the regulations for licensing adult day care centers do not include regulations pertaining to cost of care. ADC providers are private owners and operators and can charge what they deem necessary for the care they provide.

Contact

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(406) 444-4094
hhsadminrules@mt.gov
Fax: (406) 444-9744

Rule Reviewer

Greg Henderson

Approval

Charles T. Brereton, Director

Department of Public Health and Human Services



DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES

NOTICE OF ADOPTION

MAR NOTICE NO. 37-1103

Summary

Amendment of ARM 37.34.113 pertaining to Certification of Persons Assisting in the Administration of Medication

Previous Notice(s) and Hearing Information

On September 6, 2024, the Department of Public Health and Human Services published MAR Notice No. 37-1103 pertaining to the public hearing on the proposed amendment of the above-stated rule at page 2131 of the 2024 Montana Administrative Register, Issue Number 17.

Final Rulemaking Action – Effective January 11, 2025

AMEND AS PROPOSED

The department has amended the following rule as proposed:

37.34.113 CERTIFICATION OF PERSONS ASSISTING IN THE ADMINISTRATION OF MEDICATION: ADOPTION OF THE HEALTH AND MEDICATION ADMINISTRATION MANUAL

Statement of Reasons

No comments were received.

Contact

Bailey Yuhas
(406) 444-4094
hhsadminrules@mt.gov
Fax: (406) 444-9744

Rule Reviewer

Olivia Schuler

Approval

Charles T. Brereton, Director
Department of Public Health and Human Services



SECRETARY OF STATE

NOTICE OF ADOPTION

MAR NOTICE NO. 44-2-278

Summary

Records and Information Management

Previous Notice(s) and Hearing Information

On November 22, 2024, the Secretary of State published MAR Notice No. 44-2-278 pertaining to the public hearing on the proposed adoption and repeal of the below-stated rules at page 2504 of the 2024 Montana Administrative Register, Issue Number 22.

Final Rulemaking Action – Effective January 11, 2025

ADOPT AS PROPOSED

The agency has adopted the following rule as proposed:

NEW RULE I (44.14.107) EXECUTIVE BRANCH AGENCY AUTHORITY FOR DISPOSAL OF PUBLIC RECORDS

REPEAL

The agency has repealed the following rule as proposed:

44.14.106 DELEGATION AUTHORITY FOR DISPOSAL OF PUBLIC RECORDS

Statement of Reasons

No comments were received.

Contact

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Fax: (406) 444-3976

Rule Reviewer

Austin Markus James

Approval

Christi Jacobsen, Secretary of State



**COMMISSIONER OF SECURITIES AND INSURANCE
OFFICE OF THE MONTANA STATE AUDITOR**

NOTICE OF ADOPTION

MAR NOTICE NO. 6-291

Summary

Adoption of NEW RULE I pertaining to petitioning rulemaking and amendment of ARM 6.2.101 and 6.2.120 pertaining to model procedural rules

Previous Notice(s) and Hearing Information

On September 6, 2024, the Commissioner of Securities and Insurance, Office of the Montana State Auditor (CSI) published MAR Notice No. 6-291 pertaining to the proposed adoption and amendment of the above-stated rules at page 2114 of the 2024 Montana Administrative Register, Issue Number 17.

Final Rulemaking Action – Effective January 11, 2025

ADOPT AS PROPOSED

The agency has adopted the following rule as proposed:

NEW RULE I (6.2.125) RULEMAKING, PETITION TO ADOPT, AMEND, OR REPEAL RULE

AMEND AS PROPOSED

The agency has amended the following rules as proposed:

6.2.101 INCORPORATION OF MODEL PROCEDURAL RULES BY THE INSURANCE DEPARTMENT

6.2.120 INCORPORATION OF MODEL PROCEDURAL RULES BY THE SECURITIES DEPARTMENT

Statement of Reasons

No comments were received.

Contact

Laura Shirtliff
(406) 444-2040
CSI@mt.gov

Rule Reviewer

Kirsten Madsen

Approval

Kate McGrath Ellis